

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO**

In re: HORTON, DEAN L.  
HORTON, FRANCES H.

§ Case No. 19-11162-T7  
§  
§  
§

Debtor(s)

## TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on 05/17/2019. The undersigned trustee was appointed on 05/17/2019.

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 3,079,874.50

Funds were disbursed in the following amounts:

Payments made under an interim distribution	2,016,976.31
Administrative expenses	387,403.73
Bank service fees	30,398.88
Other payments to creditors	0.00
Non-estate funds paid to 3rd Parties	98,092.11
Exemptions paid to the debtor	164,500.00
Other payments to the debtor	0.00
Leaving a balance on hand of <sup>1</sup>	\$ 382,503.47

The remaining funds are available for distribution.

<sup>1</sup>The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 08/26/2019 and the deadline for filing governmental claims was 11/13/2019. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$110,711.24. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$110,711.24, for a total compensation of \$110,711.24<sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$10,791.48 for total expenses of \$10,791.48<sup>2</sup>.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 09/17/2021

By: /s/ Clarke C. Coll  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. §1320.4(a)(2) applies.

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<sup>2</sup>If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Exhibit A

Page: 1

**Case No.:** 19-11162-T7

**Case Name:** HORTON, DEAN L.  
HORTON, FRANCES H.

**Trustee Name:** (510150) Clarke C. Coll

**Date Filed (f) or Converted (c):** 05/17/2019 (f)

**§ 341(a) Meeting Date:** 06/25/2019

**For Period Ending:** 09/17/2021

**Claims Bar Date:** 08/26/2019

1 Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=\$554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Hatch Valley, Dona Ana, NM Single-family home, House and garage on 584.4 acres. Entire property value: \$6,900,000.00	6,900,000.00	6,756,000.00		2,625,000.00	FA
2	2005 Cadillac CTS, 56000 miles. Entire property Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30	8,000.00	8,000.00		0.00	FA
3*	2019 Infiniti QE60, 1000 miles, Leased Vehicle Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA
4*	1979 Town and Country 14' x 80', Trailer House/M Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30; Original asset description: 1979 Town and Country 14' x 80', Trailer House/M (See Footnote)	Unknown	0.00		0.00	FA
5*	Furniture, appliances, furnishings, dishes, china Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30; Original petition value: 27000.00; Original asset description: Furniture and furnishings, dishes and silverware. The value of this asset in amended schedules seemed to reflect the amount debtors paid for these assets and not the FMV of the assets. (See Footnote)	1,059,951.00	15,000.00		56,709.50	FA
6	Household electronics, computers, cell phones, T Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30; Original petition value: 2500.00	3,500.00	3,500.00		0.00	FA
7	Men's Clothing \$1500 Women's Clothing \$2500 Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30	4,000.00	4,000.00		0.00	FA
8	Jewelry. Two lists attached. Location: PO Box 12 Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30; Original petition value: 60000.00; Original asset description: Jewelry, two wedding rings, and tie tacs Locatio	218,450.00	158,450.00		77,845.00	FA
9	Three dogs and twelve cats Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30	15.00	15.00		0.00	FA
10*	Cash Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30; Original petition value: 4000.00 (See Footnote)	9,000.00	0.00		0.00	FA
11	Deposits of money: Edward Jones Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30-Debtors have provided sufficient documentation to support exemption claim in this asset	131,356.59	0.00		0.00	FA

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# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Exhibit A

Page: 2

**Case No.:** 19-11162-T7

**Case Name:** HORTON, DEAN L.  
HORTON, FRANCES H.

**Trustee Name:** (510150) Clarke C. Coll

**Date Filed (f) or Converted (c):** 05/17/2019 (f)

**§ 341(a) Meeting Date:** 06/25/2019

**For Period Ending:** 09/17/2021

**Claims Bar Date:** 08/26/2019

1 Asset Description (Scheduled And Unscheduled (u) Property)  Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
12 Deposits of money: Wells Fargo Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30	14,691.41	0.00		0.00	FA
13* Las Uvas Valley Dairies, 90% ownership Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA
14 Triple H. Farm Partnership (126 Acres) Belgrade, Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 Debtors own 66.6% of farm in Missouri and Trustee pursuing sale thereof; Trustee believes total value around \$300k and will pursue sale of entire asset and recover 2/3rds for estate.	50,000.00	175,000.00		320,320.00	FA
15* Ret. or Pension Acct.: Social Security and Veter Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA
16* Legal Services: Clifford C. Gramer Jr. Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA
17 Social Security Income (Dean) Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30	1,125.60	0.00		0.00	FA
18 Social Security Income (Frances) Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30	1,008.60	0.00		0.00	FA
19 SSI and VA (Dean and Francis) Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30	131,356.00	0.00		0.00	FA
20* Claim against Liquidating Trustee for breach of Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA
21* Claim against Production Credit, Farm Credit and Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA
22* Las Uvas Valley Dairies See lines 37 and 46, 45% Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA
23* Las Uvas Valley Dairies See lines 37 and 46, 45% Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA
24* Las Uvas Valley Daries, See line 37 and 46 45%. Orig. Asset Memo: Imported from original petition Doc# 1; Imported from Amended Doc#: 30 (See Footnote)	Unknown	0.00		0.00	FA

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# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Exhibit A

Page: 3

**Case No.:** 19-11162-T7

**Case Name:** HORTON, DEAN L.  
HORTON, FRANCES H.

**Trustee Name:** (510150) Clarke C. Coll

**Date Filed (f) or Converted (c):** 05/17/2019 (f)

**§ 341(a) Meeting Date:** 06/25/2019

**For Period Ending:** 09/17/2021

**Claims Bar Date:** 08/26/2019

1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=\$554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
25*	2 antique Massey-Ferguson tractors. (u) Orig. Asset Memo: Not originally scheduled; Imported from Amended Doc#: 30 Not Originally Scheduled (See Footnote)	2,000.00	2,000.00	0.00	FA
26*	Two scissor lifts, Yamaha piano. (u) Orig. Asset Memo: Not originally scheduled; Imported from Amended Doc#: 30 Not Originally Scheduled (See Footnote)	9,000.00	9,000.00	0.00	FA
27*	Prints and artwork in the home. (u) Orig. Asset Memo: Not originally scheduled; Imported from Amended Doc#: 30 Not Originally Scheduled (See Footnote)	Unknown	0.00	0.00	FA
28	Int. in Ins. policies: MetLife long-term care po (u) Orig. Asset Memo: Not originally scheduled; Imported from Amended Doc#: 30 Not Originally Scheduled	0.00	0.00	0.00	FA
29	Int. in Ins. policies: MetLife long-term care po (u) Orig. Asset Memo: Not originally scheduled; Imported from Amended Doc#: 30 Not Originally Scheduled	0.00	0.00	0.00	FA
30*	Brick and concrete roof tiles and other construction materials from construction of residence (See Footnote)	Unknown	0.00	0.00	FA
31	Pension: NM Teacher's ERA pension	6,946.65	0.00	0.00	FA
<b>31</b>	<b>Assets Totals (Excluding unknown values)</b>	<b>\$8,550,400.85</b>	<b>\$7,130,965.00</b>	<b>\$3,079,874.50</b>	<b>\$0.00</b>

RE PROP# 3 Debtor's interest is a Leased interest. No value to estate.

RE PROP# 4 Debtors were incorrect in listing this asset as it appears the asset was an asset of the Debtors' dairy partnership which was being liquidated by the liquidating dairy trustee. Thus no value to estate.

RE PROP# 5 Pursuant to Order on Sale, Debtors were allowed to take certain exempt personal household property; Trustee sold certain exempt property for \$50,000 as part of sale, Debtors allowed \$50,000 proceeds from sale of certain household personal property claimed as exempt, and Trustee secured certain non-exempt higher value property which is to be sold for benefit of estate. Trustee anticipates selling the remaining non-exempt personal property before the end of 2020. Trustee estimates the value of the non-exempt assets to be between \$10,000 to \$30,000.

RE PROP# 10 After further research by counsel, Debtor's claim of exemption that these are exempt SS or VA, Trustee determined that litigation over the issue would likely not result in benefit to estate. As part of Global Settlement with the LUVI Trustee and Debtors, Trustee will not pursue objection to Debtors' claim of exemption. Trustee objected to the claim of exemption and requesting turnover of asset to estate. No way for debtors to trace cash asset.

RE PROP# 13 La Uvas Valley Dairies is being liquidated by a liquidating trustee and partnership will have a deficiency after liquidating partnership assets. No value to this estate.

RE PROP# 15 Asset is listing of ongoing payments from veterans benefits and social security. No value to estate because exempt.

RE PROP# 16 Asset appears to be legal services to be provided by debtors' counsel and this is no value to estate.

RE PROP# 20 Trustee investigating potential claim. Likely no value due to bankruptcy case appointing liquidating trustee to liquidate partnership assets per liquidating plan.

RE PROP# 21 Trustee investigating potential claim. Likely no value due to bankruptcy case appointing liquidating trustee to liquidate partnership assets per liquidating plan.

RE PROP# 22 Asset reflects joint Debtor's ownership in partnership asset listed in Asset #13- No value to estate.

RE PROP# 23 Asset reflects joint Debtor's ownership in partnership asset listed in Asset #13- No value to estate.

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**Form 1**  
**Individual Estate Property Record and Report**  
**Asset Cases**

Exhibit A

Page: 4

**Case No.:** 19-11162-T7

**Case Name:** HORTON, DEAN L.  
HORTON, FRANCES H.

**Trustee Name:** (510150) Clarke C. Coll

**Date Filed (f) or Converted (c):** 05/17/2019 (f)

**§ 341(a) Meeting Date:** 06/25/2019

**For Period Ending:** 09/17/2021

**Claims Bar Date:** 08/26/2019

RE PROP# 24	Asset reflects joint Debtor's ownership in partnership asset listed in Asset #13- No value to estate.
RE PROP# 25	Trustee determined that transporting assets for sale along with other cost of sale would not allow for meaningful distribution.
RE PROP# 26	Trustee will determine and investigate if sale of these antique tractors, that are not refurbished or running, will yield any meaningful value to estate. Trustee determined that transporting scissor lifts for sale along with other cost of sale would not allow for meaningful distribution.
RE PROP# 27	The Yamaha piano was sold as part of the asset listed in the sale of personal property along with the house sale. No direct value was allocated to the piano and the total sale price for the household assets are included in sale proceed received for asset 8. Trustee investigating weather the sale of the scissor lifts will yield meaningful value to estate and will plan to sell via auction of other means.
RE PROP# 30	Trustee photographed and inventoried the asset and determined that relative no or low market value for the asset. This asset was also included in the value of asset #8 so this asset is really a duplicate of assets listed in asset#8. Debtors owned several old semi trailers that were parked at the residential property and in some of those trailers, some construction materials were located in the trailers. In addition, this asset included certain brick pavers and concrete roof tiles for the guest house that was not built. Trustee intends to sell this asset as part of the residence and personal property sale. Very little market value and cost to move and sell the asset separately would exceed value. However, selling this asset with the residence (asset 1) should enhance value thereof. This asset was sold along with and part of number asset number 1 and no specific or direct value was allocated to this asset.

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**Form 1**  
**Individual Estate Property Record and Report**  
**Asset Cases**

Exhibit A

Page: 5

**Case No.:** 19-11162-T7

**Case Name:** HORTON, DEAN L.  
HORTON, FRANCES H.

**For Period Ending:** 09/17/2021

**Trustee Name:** (510150) Clarke C. Coll

**Date Filed (f) or Converted (c):** 05/17/2019 (f)

**§ 341(a) Meeting Date:** 06/25/2019

**Claims Bar Date:** 08/26/2019

**Major Activities Affecting Case Closing:**

March 2021-Receive Auction Report and advise of required payment from auction is due to estate. Will work on selling last 4 items of personal property and then work on getting tax claims amended or file objections to tax claims. Will get all tax information and documentation to CPA for final estate tax returns with goal of wrapping up case and final distribution in summer 2021.

February 2021-Work with counsel on Auction of personal property with Bentley auction etc. Work with parties on tax filings of amended returns.

January 2021-Closed on Missouri Farm property and paid out agreed distribution on approved compromise. Working on selling remaining personal property and working with Liquidating Trustee on amended tax returns for his case and for debtors to file etc. and also seeking unearned bond premium refund.

January-2021- Travel to Albuquerque for hearing and also haul all personal property items to Auctioneer in Albuquerque for future auction etc.

December 2020-Working with Broker to get to final closing on Missouri Farm and Preparing for early January hearing on Objection to Compromise.

October & November 2020, Trustee working with counsel to pursue sale of remaining personal property through auction or other means.

In September and October 2020, Trustee negotiated with LUV D Trustee to settle the adversary proceeding and all other issues between the parties and filed a joint Motion to Approve Compromise.

In September 2020, Stipulated Order to sell Missouri Farm was entered and Trustee working with broker and title company to close before the end of the year.

In July 2020, Trustee pursuing sale of Debtors' interest in Missouri Farm.

2020- Trustee involved in extensive litigation with LUV D trustee on numerous issues including claim of constructive trust relative to debtors house and other assets; In May 2020 Trustee secured contract for sale of the house and certain personal/household furnishings etc.. Sale of house approved and sold per order with later determination on distribution pending outcome of constructive trust adversary proceeding. Trustee sought bids on jewelry and pursued motion to sell Jewelry to third party and a part of the jewelry to be sold to debtors. Sales were approved on jewelry and sale proceed collected and deposited. Trustee hired broker to sell Debtors' interest in Missouri farm. Trustee pursued sale of Missouri farm and contracted for sale in August 2020. Order approving sale of Missouri farm entered and working with title company on necessary title/survey work for closing. Trustee working with his counsel to liquidate remaining high value non-exempt personal property and anticipates selling in bulk or auction before end of the year. Trustee working with Las Uvas Dairies Partnership Liquidating trustee relative to amending certain partnership returns that will reduce or eliminate certain tax liabilities of the Hortons with amended pre-petition tax return. Trustee is working on settlement with LUV D trustee on possible settlement of adversary proceeding;

2019-Trustee investigating and secured assets to liquidate for the estate. Trustee made several trips to Hatch NM to secure jewelry and other assets. Trustee through counsel objecting to debtors claim of exemptions. Trustee hired broker to sell house & land. Trustee secured all jewelry to sell for benefit of estate. Trustee made trips to Horton residence to inventory all household assets. Trustee determined that value of house may be enhanced by selling the 20,000 square foot residence furnished or partially furnished. Trustee entered into agreement with Debtors to remain in the residence in exchange for paying all of the utilities and insurance etc. while Trustee and his broker marketed and listed the property for sale.

**Initial Projected Date Of Final Report (TFR):** 12/01/2021

**Current Projected Date Of Final Report (TFR):** 12/01/2021

# Form 2

## Cash Receipts And Disbursements Record

Exhibit B

Page: 1

Case No.: 19-11162-T7	Trustee Name: Clarke C. Coll (510150)	
Case Name: HORTON, DEAN L.	Bank Name: Mechanics Bank	
HORTON, FRANCES H.	Account #: *****2000 Checking	
Taxpayer ID #: **-***1787	Blanket Bond (per case limit): \$1,000,000.00	
For Period Ending: 09/17/2021	Separate Bond (if applicable): N/A	

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
07/13/20	{8}	Dean & Francis Horton	Horton payment for purchase of Non-exempt Jewelry per Order Doc#103	1129-000	8,245.00		8,245.00
07/20/20	{8}	Ed Karler, Inc DBA ABQ Gold & Silver	Purchase of Non-Exempt Jewelry per Order Doc#103	1129-000	69,600.00		77,845.00
07/20/20		Southwestern Abstract & Title Company	Proceeds of Sale per Order Doc#108		2,441,411.90		2,519,256.90
	{1}		Gross sale price for real property and non-exempt household items \$2,625,000.00	1110-000			
	{5}		Proceeds from Sale of personal property claimed exempt \$50,000.00	1129-000			
			Property Taxes 1/1/20 to 7/15/20-per order doc#108 -\$13,445.90	2820-000			
			Commissions and NMGR to realtors per Order Doc#108 -\$168,131.26	3510-000			
			Recording Fees, Transfer Charges and Title Charges per Order Doc#108 -\$10,034.63	2500-000			
			2018-2019 Property Taxes -per Order doc#108 -\$41,976.31	4800-000			
07/31/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		1,345.30	2,517,911.60
08/06/20	101	DEAN L. HORTON, FRANCES H. HORTON	Payment of Debtors' Allowed Exemption in certain personal property less amount owed to estate for insurance coverage on real property per Order Doc#108	8100-002		44,500.00	2,473,411.60
08/31/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		3,850.07	2,469,561.53
09/21/20	102	Trustee Resource Group	Insurance premium payment - allowed per Order 9/16/2020 Doc#139	2420-000		2,939.22	2,466,622.31
09/22/20	103	International Sureties, LTD	Bond Premium payment per Order 9/21/20 Doc#143	2300-000		5,350.00	2,461,272.31
09/30/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		4,210.20	2,457,062.11
10/30/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		3,927.27	2,453,134.84
11/17/20		Transfer Debit to People's United Bank acct XXXXXX3720	Transition Debit to People's United Bank acct XXXXXX3720	9999-000		2,453,134.84	0.00

<b>COLUMN TOTALS</b>	<b>2,519,256.90</b>	<b>2,519,256.90</b>	<b>\$0.00</b>
Less: Bank Transfers/CDs	0.00	2,453,134.84	
<b>Subtotal</b>	<b>2,519,256.90</b>	<b>66,122.06</b>	
Less: Payments to Debtors		44,500.00	
<b>NET Receipts / Disbursements</b>	<b>\$2,519,256.90</b>	<b>\$21,622.06</b>	



# Form 2

## Cash Receipts And Disbursements Record

Exhibit B

Page: 2

Case No.: 19-11162-T7

Case Name: HORTON, DEAN L.  
HORTON, FRANCES H.

Taxpayer ID #: \*\*-\*\*\*1787

For Period Ending: 09/17/2021

Trustee Name: Clarke C. Coll (510150)

Bank Name: People's United Bank

Account #: \*\*\*\*\*3720 Checking Account

Blanket Bond (per case limit): \$1,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
11/17/20		Transfer Credit from Mechanics Bank acct XXXXXX2000	Transition Credit from Mechanics Bank acct XXXXXX2000	9999-000	2,453,134.84		2,453,134.84
11/30/20		People's United Bank	Bank and Technology Services Fees	2600-000		3,790.29	2,449,344.55
12/31/20		People's United Bank	Bank and Technology Services Fees	2600-000		4,306.83	2,445,037.72
01/13/21	1000	Rob Marcus, Trustee of the Las Uvas Liquidating Trust	Settlement Payment per Order Doc#195	7100-000		1,975,000.00	470,037.72
01/13/21	1001	Rob Marcus, Trustee of the Las Uvas Liquidating Trust	Horton settlement payment per Order Doc#195	8100-002		60,000.00	410,037.72
01/13/21	1002	DEAN L. HORTON and FRANCES H. HORTON	Allowed Exemption Per Order Doc.#195	8100-002		60,000.00	350,037.72
01/29/21		People's United Bank	Bank and Technology Services Fees	2600-000		2,786.86	347,250.86
02/03/21		Preferred Land Title LLC	Net Proceeds-Sale of Missouri Farm-Per Sale Order Doc#138		196,184.24		543,435.10
	{14}		Gross Sales Price \$320,320.00	1129-000			
			Allowed Broker Fees/commissions -\$19,219.20	3510-000			
			Title Charges -\$416.50	2500-000			
			Recording Fees -\$69.00	2500-000			
			Survey charges -\$5,800.00	2500-000			
			Easement Fee -\$500.00	2500-000			
			County Taxes -\$38.95	2820-000			
			1/3 of net proceeds to Lyndall Horton per 363(h) and per Order Doc#138 -\$98,092.11	8500-000			
02/26/21		People's United Bank	Bank and Technology Services Fees	2600-000		750.03	542,685.07
03/31/21		People's United Bank	Bank and Technology Services Fees	2600-000		956.75	541,728.32
04/12/21		Bentley & Associates, LLC	Net proceeds from Auction of Personal Property per Order Doc#202		6,038.55		547,766.87
	{5}		Sale Non-Exempt personal property-Per Order Doc#202 \$6,709.50	1129-000			
			Allowed Auctioneer commission per Order Doc# -\$670.95	3610-000			
04/26/21		Global Surety, LLC -Operating Account	Bond Premium Refund	2300-000		-2,520.00	550,286.87

Page Subtotals: \$2,655,357.63 \$2,105,070.76

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# Form 2

## Cash Receipts And Disbursements Record

Exhibit B

Page: 3

Case No.: 19-11162-T7

Case Name: HORTON, DEAN L.  
HORTON, FRANCES H.

Taxpayer ID #: \*\*-\*\*\*1787

For Period Ending: 09/17/2021

Trustee Name: Clarke C. Coll (510150)

Bank Name: People's United Bank

Account #: \*\*\*\*\*3720 Checking Account

Blanket Bond (per case limit): \$1,000,000.00

Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
04/30/21		People's United Bank	Bank and Technology Services Fees	2600-000		874.00	549,412.87
05/28/21		People's United Bank	Bank and Technology Services Fees	2600-000		821.85	548,591.02
06/30/21		People's United Bank	Bank and Technology Services Fees	2600-000		967.17	547,623.85
07/30/21		People's United Bank	Bank and Technology Services Fees	2600-000		877.69	546,746.16
08/17/21	1003	International Sureties, LTD	Bond Premium Payment per Order 8.16.21.	2300-000		373.15	546,373.01
08/31/21		People's United Bank	Bank and Technology Services Fees	2600-000		934.57	545,438.44
09/02/21	1004	Walker & Associates, PC	Approved Compensation per Order Doc#215			160,553.14	384,885.30
			Allowed Fees Doc#215 \$145,742.50	3210-000			
			Allowed Reimbursable costs per Doc#215 \$3,101.00	3220-000			
			Allowed Gross Receipts Tax per Doc#215 \$11,709.64	3220-000			
09/02/21	1005	Steve W. Johnson, CPA, LLC	Allowed CPA Compensation per Order Doc#216 and Amended Order Doc#218			2,381.83	382,503.47
			Allowed Fees per Doc#216 and Amended Order Doc#218 \$2,196.50	3410-000			
			Allowed Gross Receipts Tax Per Doc#216 \$185.33	3420-000			
09/16/21		Transfer Debit to Metropolitan Commercial Bank acct XXXXXX0217	Transition Debit to Metropolitan Commercial Bank acct XXXXXX0217	9999-000		382,503.47	0.00

**COLUMN TOTALS**

Less: Bank Transfers/CDs

**Subtotal**

Less: Payments to Debtors

**NET Receipts / Disbursements**

2,655,357.63

2,453,134.84

202,222.79

\$202,222.79

2,655,357.63

382,503.47

2,272,854.16

120,000.00

\$2,152,854.16

\$0.00

# Form 2

## Cash Receipts And Disbursements Record

Exhibit B

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<b>Case No.:</b> 19-11162-T7	<b>Trustee Name:</b> Clarke C. Coll (510150)
<b>Case Name:</b> HORTON, DEAN L. HORTON, FRANCES H.	<b>Bank Name:</b> Metropolitan Commercial Bank
<b>Taxpayer ID #:</b> **-***1787	<b>Account #:</b> *****0217 Checking Account
<b>For Period Ending:</b> 09/17/2021	<b>Blanket Bond (per case limit):</b> \$1,000,000.00
	<b>Separate Bond (if applicable):</b> N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
09/16/21		Transfer Credit from People's United Bank acct XXXXXX3720	Transition Credit from People's United Bank acct XXXXXX3720	9999-000	382,503.47		382,503.47

<b>COLUMN TOTALS</b>	<b>382,503.47</b>	<b>0.00</b>	<b>\$382,503.47</b>
Less: Bank Transfers/CDs	382,503.47	0.00	
<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	

## Form 2

Exhibit B  
Page: 5

### Cash Receipts And Disbursements Record

**Case No.:** 19-11162-T7  
**Case Name:** HORTON, DEAN L.  
HORTON, FRANCES H.  
**Taxpayer ID #:** \*\*\_\*\*\*1787  
**For Period Ending:** 09/17/2021

**Trustee Name:** Clarke C. Coll (510150)  
**Bank Name:** Metropolitan Commercial Bank  
**Account #:** \*\*\*\*\*0217 Checking Account  
**Blanket Bond (per case limit):** \$1,000,000.00  
**Separate Bond (if applicable):** N/A

<b>TOTAL - ALL ACCOUNTS</b>	<b>NET DEPOSITS</b>	<b>NET DISBURSEMENTS</b>	<b>ACCOUNT BALANCES</b>
*****2000 Checking	\$2,519,256.90	\$21,622.06	\$0.00
*****3720 Checking Account	\$202,222.79	\$2,152,854.16	\$0.00
*****0217 Checking Account	\$0.00	\$0.00	\$382,503.47
	<b>\$2,721,479.69</b>	<b>\$2,174,476.22</b>	<b>\$382,503.47</b>

**Exhibit C**  
**Claims Proposed Distribution Register**  
**Case: 19-11162-T7 HORTON, DEAN L.**

**Case Balance:**     \$382,503.47                      **Total Proposed Payment:**     \$382,503.47                      **Remaining Balance:**     \$0.00

Claim #	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
2	Dona Ana County Treasurer	Secured	\$37,250.02	\$0.00	\$0.00	\$0.00	\$0.00	\$382,503.47
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#152								
	Clarke C. Coll	Admin Ch. 7	\$110,711.24	\$110,711.24	\$0.00	\$110,711.24	\$110,711.24	\$271,792.23
<2100-00 Trustee Compensation>								
	Clarke C. Coll	Admin Ch. 7	\$10,791.48	\$10,791.48	\$0.00	\$10,791.48	\$10,791.48	\$261,000.75
<2200-00 Trustee Expenses>								
17	Internal Revenue Service	Priority	\$312,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$261,000.75
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#162								
18	Internal Revenue Service	Priority	\$733,649.00	\$0.00	\$0.00	\$0.00	\$0.00	\$261,000.75
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#163								
19	New Mexico Taxation & Revenue Department	Priority	\$151,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$261,000.75
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#164								
20P-3	Internal Revenue Service	Priority	\$331,774.46	\$331,774.46	\$0.00	\$331,774.46	\$261,000.75	\$0.00
21-1	New Mexico Taxation & Revenue Department	Priority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1	Eagle Supply Company, LLC	Unsecured	\$178,433.46	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#153								

**Exhibit C**  
**Claims Proposed Distribution Register**  
**Case: 19-11162-T7 HORTON, DEAN L.**

**Case Balance:** \$382,503.47                      **Total Proposed Payment:** \$382,503.47                      **Remaining Balance:** \$0.00

Claim #	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
3	Southwest Well Scan	Unsecured	\$10,177.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#154								
4	Cattle Feeds	Unsecured	\$445,918.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#155								
5	DBS Commodities	Unsecured	\$947,379.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#156								
6	Crest Automation	Unsecured	\$10,311.68	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#157								
7	Wells Fargo Bank, N.A.	Unsecured	\$15,036.00	\$15,036.00	\$0.00	\$15,036.00	\$0.00	\$0.00
8	Goodman Ag Supply, Inc.	Unsecured	\$66,403.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#158								
9-2	Robert Marcus Liquidating Trustee	Unsecured	\$10,905,702	\$12,880,702.00	\$1,975,000.00	\$10,905,702.00	\$0.00	\$0.00
<b>Claim Memo:</b> The Amended Claim reflects the amount after the previous distribution from the estate. Thus, the original allowed amount includes an amount before the prior distribution.								
10	Mynatt Martinez Springer P.C.	Unsecured	\$7,901.61	\$7,901.61	\$0.00	\$7,901.61	\$0.00	\$0.00
11	Jeani Anderson	Unsecured	\$962,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed in part and reduced to \$520,000 Per Order Doc#151								

**Exhibit C**  
**Claims Proposed Distribution Register**  
**Case: 19-11162-T7 HORTON, DEAN L.**

**Case Balance:** \$382,503.47                      **Total Proposed Payment:** \$382,503.47                      **Remaining Balance:** \$0.00

Claim #	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
12	CJ & Sons Transport LLC	Unsecured	\$214,021.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#159								
13	Landus Cooperative	Unsecured	\$32,661.93	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#160								
14-3	Robert Marcus Liquidating Trustee	Unsecured	\$3,284,393.	\$3,284,393.43	\$0.00	\$3,284,393.43	\$0.00	\$0.00
15	Kunafin	Unsecured	\$14,105.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed per Order Doc# 166								
16	3CRW, LLC	Unsecured	\$41,527.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Claim Memo:</b> Claim Disallowed Per Order Doc#161								
20U-3	Internal Revenue Service	Unsecured	\$28,142.91	\$28,501.57	\$0.00	\$28,501.57	\$0.00	\$0.00
<b>Total for Case: 19-11162-T7</b>			\$18,851,293.00	\$16,669,811.79	\$1,975,000.00	\$14,694,811.79	\$382,503.47	

**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 19-11162-T7

Case Name: DEAN L. HORTON AND FRANCES H. HORTON

Trustee Name: Clarke C. Coll

**Balance on hand:**     \$ 382,503.47

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
2	Dona Ana County Treasurer	37,250.02	0.00	0.00	0.00

Total to be paid to secured creditors:     \$ 0.00Remaining balance:     \$ 382,503.47

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - Clarke C. Coll	110,711.24	0.00	110,711.24
Trustee, Expenses - Clarke C. Coll	10,791.48	0.00	10,791.48

Total to be paid for chapter 7 administrative expenses:     \$ 121,502.72Remaining balance:     \$ 261,000.75

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments	Proposed Payment
None			

Total to be paid for prior chapter administrative expenses:     \$ 0.00Remaining balance:     \$ 261,000.75



In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$331,774.46 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
17	Internal Revenue Service	0.00	0.00	0.00
18	Internal Revenue Service	0.00	0.00	0.00
19	New Mexico Taxation & Revenue Department	0.00	0.00	0.00
20P-3	Internal Revenue Service	331,774.46	0.00	261,000.75
21-1	New Mexico Taxation & Revenue Department	0.00	0.00	0.00

Total to be paid for priority claims: \$ 261,000.75  
Remaining balance: \$ 0.00

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$16,188,033.04 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 12.2 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1	Eagle Supply Company, LLC	0.00	0.00	0.00
3	Southwest Well Scan	0.00	0.00	0.00
4	Cattle Feeds	0.00	0.00	0.00
5	DBS Commodities	0.00	0.00	0.00
6	Crest Automation	0.00	0.00	0.00
7	Wells Fargo Bank, N.A.	15,036.00	0.00	0.00
8	Goodman Ag Supply, Inc.	0.00	0.00	0.00
9-2	Robert Marcus Liquidating Trustee	12,880,702.00	1,975,000.00	0.00
10	Mynatt Martinez Springer P.C.	7,901.61	0.00	0.00
11	Jeani Anderson	0.00	0.00	0.00
12	CJ & Sons Transport LLC	0.00	0.00	0.00
13	Landus Cooperative	0.00	0.00	0.00
14-3	Robert Marcus Liquidating Trustee	3,284,393.43	0.00	0.00
15	Kunafin	0.00	0.00	0.00
16	3CRW, LLC	0.00	0.00	0.00

Total to be paid for timely general unsecured claims: \$ 0.00  
Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for tardily filed general unsecured claims:	\$	0.00
Remaining balance:	\$	0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$28,501.57 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
20U-3	Internal Revenue Service	28,501.57	0.00	0.00

Total to be paid for subordinated claims:	\$	0.00
Remaining balance:	\$	0.00